§52.841

§ 52.841 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner or operator of each SO_2 source located within the State of Iowa and for which requirements are set forth under the Federal CAIR SO_2 Trading Program in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25375, Apr. 28, 2006]

Subpart R—Kansas

§52.869 [Reserved]

§52.870 Identification of plan.

- (a) *Purpose and scope.* This section sets forth the applicable SIP for Kansas under Section 110 of the CAA, 42 U.S.C. 7401 *et seq.* and 40 CFR Part 51 to meet NAAQS.
- (b) Incorporation by reference. (1) Material listed in paragraphs (c), (d) and (e) of this section with an EPA approval date prior to October 1, 2003, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change

in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c), (d) and (e) of this section with EPA approval dates after October 1, 2003, will be incorporated by reference in the next update to the SIP compilation.

- (2) EPA Region VII certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of October 1, 2003.
- (3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region VII, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101; at the EPA, Air and Radiation Docket and Information Center, Room B-108, 1301 Constitution Avenue, NW., (Mail Code 6102T), Washington, DC 20460; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/

federal_register/
code_of_federal_regulations/
ibr_locations.html.

(c) EPA-approved regulations.

EPA—APPROVED KANSAS REGULATIONS

Title	State effective date	EPA approval date	Explanation
tment of Health and Environment A	mbient Air	Quality Standards and Air Po	ollution Control
Genera	I Regulation	ns	
Statement of Policy	1/1/72	5/31/72, 37 FR 10867	Kansas revoked this rule 5/1/82.
Reporting Required	1/23/95	7/17/95, 60 FR 36361.	
Time Schedule for Compliance	5/1/84	12/21/87, 52 FR 48265.	
Circumvention of Control Regula-	1/1/71	5/31/72, 37 FR 10867.	
tions.			
Exceptions Due to Breakdowns or Scheduled Maintenance.	1/1/74	11/8/73, 38 FR 30867.	
Measurement of Emissions	1/1/71	5/31/72, 37 FR 10867.	
Interference with Enjoyment of Life and Property.	1/1/74	11/8/73, 38 FR 30876.	
Permits Required	1/24/94	7/17/95, 60 FR 36361.	
Severability	1/1/71	5/31/72, 37 FR 10867.	
Nonattainmen	Area Requ	irements	•
New Source Permit Requirements for Designated Nonattainment	10/16/89	1/16/90, 55 FR 1422.	
	10/10/97	1/11/00, 65 FR 1548.	
	tment of Health and Environment A Genera Statement of Policy Reporting Required Time Schedule for Compliance Circumvention of Control Regulations. Exceptions Due to Breakdowns or Scheduled Maintenance. Measurement of Emissions Interference with Enjoyment of Life and Property. Permits Required Severability Nonattainment New Source Permit Requirements for Designated Nonattainment Areas. Definitions	Title effective date tment of Health and Environment Ambient Air General Regulation Statement of Policy	Title

Environmental Protection Agency

EPA—APPROVED KANSAS REGULATIONS—Continued

Kansas citation	Title	State effective date	EPA approval date	Explanation
K.A.R. 28–19–16c	Creditable Emissions Reductions	10/16/89	1/16/90, 55 FR 1422	The EPA deferred action on the state's current definition of the terms "building, structure, facility, or installation"; mistallation"; and "reconstruction."
K.A.R. 28-19-16d K.A.R. 28-19-16e	Fugitive Emission Exemption Relaxation of Existing Emission Limitations.	10/16/89 10/16/89	1/16/90, 55 FR 1422. 1/16/90, 55 FR 1422.	ou double.
K.A.R. 28–19–16f K.A.R. 28–19–16g	New Source Emission Limits Attainment and Maintenance of National Ambient Air Quality Standards.	10/16/89 10/16/89	1/16/90, 55 FR 1422. 1/16/90, 55 FR 1422.	
K.A.R. 28-19-16h	Compliance of Other Sources	10/16/89	1/16/90, 55 FR 1422.	
K.A.R. 28-19-16i	Operating Requirements	10/16/89	1/16/90, 55 FR 1422.	
K.A.R. 28–19–16j	Revocation and Suspension of Permit.	10/16/89	1/16/90, 55 FR 1422.	
K.A.R. 28–19–16k	Notification Requirements	10/16/89	1/16/90, 55 FR 1422.	
K.A.R. 28–19–16l K.A.R. 28–19–16m	Failure to Construct	10/16/89 10/16/89	1/16/90, 55 FR 1422. 1/16/90, 55 FR 1422.	
	Attainment A	Area Require	ements	
K.A.R. 28–19–17	Prevention of Significant Deteriora- tion of Air Quality.	11/22/02	02/26/03, 68 FR 8846	K.A.R. 28–19–17a through 28–19–17q revoked. Provision moved to K.A.R. 28- 19–350.
	Stack Heig	ht Requiren	nents	
K.A.R. 28–19–18	Stack Heights	5/1/88	4/20/89, 54 FR 15934	The state regulation has stack height credit. The EPA has not approved that part.
K.A.R. 28-19-18b	Definitions	5/1/88	4/20/89, 54 FR 15934.	
K.A.R. 28–19–18c	Methods for Determining Good Engineering Practice Stack Height.	5/1/88	4/20/89, 54 FR 15934.	
K.A.R. 28–19–18d K.A.R. 28–19–18e	Fluid Modeling Relaxation of Existing Emission Limitations.	5/1/88 5/1/88	4/20/89, 54 FR 15934. 4/20/89, 54 FR 15934.	
K.A.R. 28–19–18f	Notification Requirements	5/1/88	4/20/89, 54 FR 15934.	
	Continuous E	mission Mo	onitoring	Г
K.A.R. 28–19–19	Continuous Emission Monitoring	6/8/92	1/12/93, 58 FR 3847.	
	Processing O			I
K.A.R. 28–19–20	Particulate Matter Emission Limitations.	10/16/89	1/16/90, 55 FR 1421.	
K.A.R. 28–19–21	Additional Emission Restrictions	10/16/89	1/16/90, 55 FR 1422.	
K.A.R. 28–19–22	Sulfur Compound Emissions	1/1/72	11/8/73, 38 FR 30876.	
K.A.R. 28–19–23	Hydrocarbon Emissions—Stationary Sources.	12/27/72	11/8/73, 38 FR 30876.	
K.A.R. 28–19–24	Control of Carbon Monoxide Emissions.	1/1/72	11/8/73, 38 FR 30876.	
	Indirect Heating	Equipment	Emissions	
K.A.R. 28–19–30	General Provisions	1/1/72 11/8/93	5/31/72, 37 FR 10867. 10/18/94, 59 FR 52425.	

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EPA—APPROVED KANSAS REGULATIONS—Continued

	ET A—AFFROVED NAME	43 INEGUL	ATIONS—Continued				
Kansas citation	Title	State effective date	EPA approval date	Explanation			
Incinerator Emissions							
K.A.R. 28–19–40	General Provisions	1/1/71	5/31/72, 37 FR 10867.				
K.A.R. 28–19–41	Restriction of Emission	12/27/72	11/8/73, 38 FR 30876.				
K.A.R. 28-19-42	Performance Testing	1/1/72	11/8/73, 38 FR 30876.				
K.A.R. 28–19–43	Exceptions	1/1/71	5/31/72, 37 FR 10867.				
	Air Polluti	on Emergei	ncies				
K.A.R. 28-19-55	General Provisions	1/1/72	5/31/72, 37 FR 10867.				
K.A.R. 28–19–56	Episode Criteria	10/16/89	1/16/90, 55 FR 1422.				
K.A.R. 28–19–57	Emission Reduction Requirements	1/1/72	5/31/72, 37 FR 10867.				
K.A.R. 28–19–58	Emergency Episode Plans	1/1/72	5/31/72, 37 FR 10867.				
	Volatile Organic	Compound	Emissions				
K.A.R. 28-19-61	Definitions	10/7/91	6/23/92, 57 FR 27936.				
K.A.R. 28–19–62	Testing Procedures	10/7/71	6/23/92, 57 FR 27936.				
K.A.R. 28–19–63	Automobile and Light Duty Truck Surface Coating.	11/8/93	10/18/94, 59 FR 52425.				
K.A.R. 28-19-64	Bulk Gasoline Terminals	5/1/88	5/18/88, 53 FR 17700.				
K.A.R. 28–19–65	Volatile Organic Compounds	5/1/88	5/18/88, 53 FR 17700.				
	(VOC) Liquid Storage in Perma-						
K.A.R. 28–19–66	nent Fixed Roof Type Tanks. Volatile Organic Compounds	5/1/88	5/18/88, 53 FR 17700.				
N.A.N. 20-19-00	(VOC) Liquid Storage in External	3/1/00	3/16/66, 33 1 K 17700.				
	Floating Roof Tanks.						
K.A.R. 28-19-67	Petroleum Refineries	5/1/86	1/2/87, 52 FR 53.				
K.A.R. 28–19–68	Leaks from Petroleum Refinery	5/1/86	1/2/87, 52 FR 53.				
K.A.R. 28–19–69	Equipment. Cutback Asphalt	5/1/88	5/18/88, 53 FR 17700				
K.A.R. 28–19–70	Leaks from Gasoline Delivery Ves-	5/15/98	1/11/00, 65 FR 1548.				
	sels and Vapor Collection Systems.						
K.A.R. 28–19–71	Printing Operations	5/1/88	5/18/88, 53 FR 17700.				
K.A.R. 28–19–72	Gasoline Dispensing Facilities	5/1/88	5/18/88, 53 FR 17700				
K.A.R. 28–19–73	Surface Coating of Miscellaneous Metal Parts and Products and Metal Furniture.	6/8/92	1/12/93, 58 FR 3847.				
K.A.R. 28-19-74	Wool Fiberglass Manufacturing	5/1/88	5/18/88, 53 FR 17700.				
K.A.R. 28-19-76	Lithography Printing Operations	10/7/91	6/23/92, 57 FR 27936.				
K.A.R. 28–19–77	Chemical Processing Facilities	10/7/91	6/23/92, 57 FR 27936.				
	That Operate Alcohol Plants or Liquid Detergent Plants.						
	Genera	al Provision	s				
K.A.R. 28–19–200	General Provisions; definitions	10/10/97	1/11/00, 65 FR 1548	New rule. Replaces			
				K.A.R. 28-19-7 defi-			
K.A.R. 28-19-201	General provisions; Regulated	10/10/97	1/11/00, 65 FR 1548	nitions. New rule. Replaces			
N.A.N. 20-13-201	Compounds List.	10/10/3/	1/11/00, 03 110 1340	Regulated Com-			
	,			pounds in K.A.R.			
I/ A D 00 40 00:		4/00/5-	7/17/05 00 FD 00004	28–19–7.			
K.A.R. 28–19–204	Permit Issuance and Modification; Public Participation.	1/23/95	7/17/95, 60 FR 36361.				
K.A.R. 28–19–210	Calculation of Actual Emissions	11/22/93	1/11/00, 65 FR 1548.				
K.A.R. 28-19-212	Approved Test Methods and Emis-	1/12/95	7/17/95, 60 FR 36361.				
	sion Compliance Determination						
	Procedures.	ormite en-1	Approvale				
	Construction P		1				
K.A.R. 28–19–300	Applicability	1/23/95	7/17/95, 60 FR 36361.				
K.A.R. 28–19–301 K.A.R. 28–19–302	Application and Issuance Additional Provisions; Construction	1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.				
N.A.N. 20-18-302	Permits.	1/23/95	1711783, OUT K 30301.				
K.A.R. 28-19-303	Additional Provisions; Construction	1/23/95	7/17/95, 60 FR 36361.				
Κ Δ R 28_10_30/	Approvals.	1/23/05	7/17/95, 60 FR 36361.				
N.A.N. 20-19-304	1 1 000	1/23/95	1111193, OU FR 30301.	1			

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EPA—APPROVED KANSAS REGULATIONS—Continued

Kansas citation	Title	State effective date	EPA approval date	Explanation
K.A.R. 28–19–350	Prevention of Significant Deteriora- tion (PSD) of Air Quality.	06/30/06	05/29/07, 72 FR 29429	Kansas did not adopt subsections with references to the clean unit exemptions, pollution control projects, and the recordkeeping provisions for the actual-to-projected-actual emissions applicability test because of the June 24, 2005, decision of the United States Court of Appeals for the District of Columbia Circuit relating to the Clean Unit Exemption, Pollution Control Projects and the recordkeeping provisions for the actual-to-projected-actual emissions applicability test.
	Gene	ral Permits	•	Sinty took
K.A.R. 28–19–400 K.A.R. 28–19–401 K.A.R. 28–19–402	General Requirements	1/23/95 1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.	
K.A.R. 28–19–403	Sources to Which Permits Issued. Application to Construct or Operate Pursuant to Terms of General Permits.	1/23/95	7/17/95, 60 FR 36361.	
K.A.R. 28-19-404	Modification, Revocation	1/23/95	7/17/95, 60 FR 36361.	
	Opera	ting Permits	S	<u> </u>
K.A.R. 28–19–500 K.A.R. 28–19–501	Applicability	1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.	
K.A.R. 28–19–502	Identical Procedural Requirements	1/23/95	7/17/95, 60 FR 36361.	
	Class II O	perating Per	rmits	
K.A.R. 28–19–540 K.A.R. 28–19–541	Applicability Application Timetable and Contents.	1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.	
K.A.R. 28–19–542 K.A.R. 28–19–543	Permit-by-Rule Permit Term and Content; Operational Compliance.	1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.	
K.A.R. 28–19–544	Modification of Sources or Operations.	1/23/95	7/17/95, 60 FR 36361.	
K.A.R. 28–19–545 K.A.R. 28–19–546	Application FeeAnnual Emission Inventory	1/23/95 1/23/95	7/17/95, 60 FR 36361. 7/17/95, 60 FR 36361.	
K.A.R. 28–19–561	Permit-by-Rule; Reciprocating Engines.	1/23/95	7/17/95, 60 FR 36361.	
K.A.R. 28–19–562	Permit-by-Rule; Organic Solvent Evaporative Sources.	1/23/95	7/17/95, 60 FR 36361.	
K.A.R. 28–19–563	Permit-by-Rule; Hot Mix Asphalt Facilities.	1/23/95	7/17/95, 60 FR 36361.	
K.A.R. 28–19–564	Permit-by-Rule; Sources with Actual Emissions Less Than 50 Percent of Major Source Thresholds.	10/04/02	3/26/03, 68 FR 14541.	

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EPA—APPROVED KANSAS REGULATIONS—Continued

Kansas citation	Title State effective EPA approval date date		EPA approval date	Explanation
	Open Burr	ing Restric	tions	
K.A.R. 28–19–645 K.A.R. 28–19–646 K.A.R. 28–19–647 K.A.R. 28–19–648 K.A.R. 28–19–650	Open Burning Prohibited	3/1/96 3/1/96 3/1/96 3/1/96 1/29/99	10/2/96, 61 FR 51366. 10/2/96, 61 FR 51366. 10/2/96, 61 FR 51366. 10/2/96, 61 FR 51366. 10/2/96, 61 FR 51366. 1/11/00, 65 FR 1548	New rule. Replaces K.A.R. 28–19–50 and 28–19–52
	Volatile Organic	Compound	Emissions	
	_	-		
K.A.R. 28–19–714 K.A.R. 28–19–717	Control of Emissions from Solvent Metal Cleaning. Control of Volatile Organic Com-	9/1/02	10/30/02, 67 FR 66060. 12/12/01, 66 FR 64148.	
	pound (VOC) Emissions from Commercial Bakery Ovens in Johnson and Wyandotte Coun- ties.	.222	12.123., 33.11(04)40.	
K.A.R. 28–19–719	Fuel Volatility	4/27/01	2/13/02, 67 FR 6658.	
	Co	nformity		
K.A.R. 28–19–800	General Conformity of Federal Actions.	3/15/96	10/2/96, 61 FR 51366.	

(d) EPA-approved State source-specific permits.

EPA-APPROVED KANSAS SOURCE-SPECIFIC PERMITS

Name of source	Permit No.	State effec- tive date	EPA approval date	Explanation
(1) Board of Public Utilities, Quindaro Power Station.	2090048	10/20/93	10/18/94, 59 FR 52425	
(2) Board of Public Utilities, Kaw Power Station.	2090049	10/20/93	10/18/94, 59 FR 52425	

(e) EPA-approved nonregulatory provisions and quasi-regulatory measures.

EPA—APPROVED KANSAS NONREGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geo- graphic or non- attainment area	State submittal date	EPA approval date	Explanation
(1) Implementation Plan for Attainment and Maintenance of the National Air Quality Standards.	Statewide	1/31/72	5/31/72, 37 FR 10867.	
(2) Comments on the Plan in Response to EPA Review.	Kansas City	3/24/72	6/22/73, 38 FR 46565	Correction notice published 3/2/76.
(3) Emergency Episode Operations/Communications Manual.	Kansas City	4/6/72	11/8/73, 38 FR 30876	Correction notice published 3/2/76.
(4) Emergency Episode Operations/Communications Manual.	Statewide except Kansas City.	2/15/73	11/8/73, 38 FR 30876	Correction notice published 3/2/76.
(5) Letter Concerning Attainment of CO Standards.	Kansas City	5/29/73	11/8/73, 38 FR 30876	Correction notice published 3/2/76.
(6) Amendment to State Air Quality Control Law Dealing with Public Access to Emis- sions Data.	Statewide	7/27/73	11/8/73, 38 FR 30876	Correction notice published 3/2/76.
(7) Analysis and Recommendations Con- cerning Designation of Air Quality Mainte- nance Areas.	Statewide	2/2874	3/2/76, 41 FR 8960.	
(8) Ozone Nonattainment Plan	Kansas City	9/17/79	4/3/81, 46 FR 20165.	
(9) Ozone Nonattainment Plan	Douglas County	10/22/79	4/3/81, 46 FR 20165.	
(10) TSP Nonattainment Plan	Kansas City	3/10/80	4/3/81, 46 FR 20165.	
(11) Lead Plan	Statewide	2/17/81	10/22/81, 46 FR 51742.	
(12) CO Nonattainment Plan		4/16/81	12/15/81, 46 FR 61117.	
(13) Air Monitoring Plan	Statewide	10/16/81	1/22/82, 47 FR 3112.	

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EPA—APPROVED KANSAS NONREGULATORY PROVISIONS—Continued

Name of nonregulatory SIP provision	Applicable geo- graphic or non- attainment area	State submittal date	EPA approval date	Explanation
(14) Letter and Supporting Documentation Relating to Reasonably Available Control Technology for Certain Particulate Matter Sources.	Kansas City	9/15/81	6/18/82, 47 FR 26387.	Correction notice published 1/12/84.
(15) Letter Agreeing to Follow EPA Interim Stack Height Policy for Each PSD Permit Issued Until EPA Revises the Stack Height Regulations.	Statewide	6/20/84	12/11/84, 49 FR 48185.	
(16) Letters Pertaining to Permit Fees	Statewide	3/27/86 9/15/87	12/21/87, 52 FR 48265.	
(17) Revisions to the Ozone Attainment Plan	Kansas City	7/2/86 4/16/87 8/18/87 8/19/87 1/6/88	5/18/88, 53 FR 17700.	
(18) Revised CO Plan	Wichita	3/1/85 9/3/87	10/28/88, 53 FR 43691.	
(19) Letter Pertaining to the Effective Date of Continuous Emission Monitoring Regulations.	Statewide	1/6/88	11/25/88, 53 FR 47690.	
(20) Letters Pertaining to New Source Permit Regulations, Stack Height Regulations, and Stack Height Analysis and Negative Dec- larations.	Statewide	3/27/86 12/7/87 1/6/88	4/20/89, 54 FR 15934.	
(21) PM ₁₀ Plan	Statewide	10/5/89 10/16/89	1/16/90, 55 FR 1422.	
(22) Ozone Maintenance Plan(23) Letter Pertaining to PSD NO_X Requirements.	Kansas City Statewide	10/23/91 9/15/92	6/23/92, 57 FR 27936. 1/12/93, 58 FR 3847.	
(24) Small Business Assistance Plan	Statewide Kansas City	1/25/94 12/11/92	5/12/94, 59 FR 24644. 10/18/94, 59 FR 52425.	
(26) Emissions Inventory Update Including a Motor Vehicle Emissions Budget.	Kansas City	5/11/95	4/25/96, 59 FR 52425.	
(27) Air monitoring plan	Statewide Kansas City	1/6/02 01/09/03	8/30/02, 67 FR 55728. 01/13/04.	
ten- year period. (29) Revision to Maintenance Plan for the 1-hour ozone standard in the Kansas portion of the Kansas City maintenance area for the second ten-year period.	Kansas City	02/10/06	06/26/06, 71 FR 36213.	
(30) CAA 110(a)(2)(D)(i) SIP—Interstate Transport.	Statewide	1/07/07	3/09/07, 72 FR 10608.	

[64 FR 7098, Feb. 12, 1999, as amended at 65 FR 1547, Jan. 11, 2000; 65 FR 39551, June 27, 2000; 66 FR 64150, Dec. 12, 2001; 67 FR 6658, Feb. 13, 2002; 67 FR 55728, Aug. 30, 2002; 67 FR 66060, Oct. 30, 2002; 68 FR 8846, Feb. 26, 2003; 68 FR 14541, Mar. 26, 2003; 68 FR 34545, June 10, 2003; 68 FR 64533, Nov. 14, 2003; 69 FR 1921, Jan. 13, 2004; 71 FR 36215, June 26, 2006; 72 FR 10610, Mar. 9, 2007; 72 FR 29431, May 29, 2007]

§52.871 Classification of regions.

The Kansas plan was evaluated on the basis of the following classifications:

	Pollutant				
Air quality control region	Particu- late mat- ter	Sulfur oxides	Nitrogen dioxide	Carbon mon- oxide	Photo- chemical oxidants (hydro- carbons)
Metropolitan Kansas City Interstate	1	III	III	ı	ı
South Central Kansas Intrastate	1	III	III	III	1
Northeast Kansas Intrastate	1	III	III	III	III
Southeast Kansas Intrastate	III	III	III	III	III
North Central Kansas Intrastate	l 1	l III	l III		